



UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
Washington, D.C. 20230

OFFICE OF THE GENERAL COUNSEL

FEB 14 2003

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Steven D. Bell  
Ulmer & Berne, LLP  
Penton Media Building  
1300 East Ninth Street, Suite 900  
Cleveland, Ohio 44114-1583


Re: Barnes Nursery, Inc. Consistency Appeal

Dear Mr. Bell:

On January 29, 2003, we sent letters to the Parties scheduling final briefs in the referenced appeal. In response to our letter, the Ohio Department of Natural Resources (State) indicated that they were not served with the supplemental information submitted by the Appellant on December 3, 2002. To allow the State additional time to analyze the new information, we are extending the deadline for final briefs. Final briefs will be due on in our office no later than April 7, 2003.

If you have any questions regarding this schedule, please contact Molly Holt at (301) 713-2967 extension 215.

Sincerely,

  
for Karl Gleaves  
Assistant General Counsel  
for Ocean Services

cc: Wayne R. Warren, OH Dept. Of Natural Resources  
Michael G. Montone, Army Corps of Engineers





UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
Washington, D.C. 20230

OFFICE OF THE GENERAL COUNSEL

FEB 4 2003

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Wayne R. Warren  
Chief, Division of Real Estate  
and Land Management  
Ohio Department of Natural Resources  
1952 Belcher Drive - Bldg. C-4  
Columbus, OH 43215

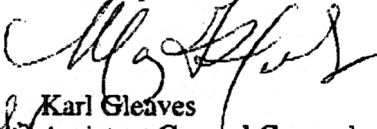
Re: Barnes Nursery, Inc. Consistency Appeal

Dear Mr. Warren:

On January 29, 2003, we sent letters to the Parties scheduling final briefs in the referenced appeal. In response to our letter, you indicated that you were not served with the supplemental information submitted by the Appellant on December 3, 2002. To allow the State additional time to analyze the new information, we are extending the deadline for final briefs. Final briefs will be due in our office no later than April 7, 2003.

If you have any questions regarding this schedule, please contact Molly Holt at (301) 713-2967, extension 215.

Sincerely,

  
Karl Gleaves  
Assistant General Counsel  
for Ocean Services

cc: Steven D. Bell, Counsel for Appellant  
Michael G. Montone, Army Corps of Engineers

